IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.395 OF 2004
IN
INCOME TAX APPEAL (L) NO.138 OF 2004

The Commissioner of Income Tax ..Applicant

Vs.

M/s.Caprihans India Ltd. ..Respondent

Mr.A.D.Kango for the Applicant.
Mr.A.K.Jasani for the Respondent.

CORAM :- DR.S.RADHAKRISHNAN &
V.C.DAGA, JJ.

DATE : 24TH APRIL, 2007

P.C.

1. Heard the learned Counsel for the parties. By this Notice of Motion the Applicant is seeking condonation of delay in filing the above Appeal. Perused the Notice of Motion and the affidavit-in-support thereof. Considering the fact that the State is involved in the matter and for the reasons stated in the affidavit-in-support of the Notice of Motion sufficient cause is made out for condoning the delay in filing the above Appeal. There is no case of inaction, negligence or want of bonafide on the part of the Applicant. Hence, the Notice of Motion is made absolute in terms of prayer clause (a).

(V.C.DAGA,J.) **(DR.S.RADHAKRISHNAN,J.)**